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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,981	09/28/2001	Diane K. Smith	47117/14489	5174

23380 7590 07/03/2002

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EXAMINER

PWU, JEFFREY C

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 07/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/965,981

Applicant(s)

SMITH, DIANE K.

Examiner

Jeffrey Pwu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

1. This action is responsive to the application, filed 2001-09-28.
2. The disposition of claims is: claims 1-29 are pending as filed. Claims 1, 9, 18 and 22 are independent.
3. The group art unit of the Examiner handling your case has changed. The new art unit is **3624**. Please use current art unit on all correspondence to help us route your case in a timely fashion.

#### *Title*

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

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6. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by **Bowman-Amuah** (US 6,332,163).

**Bowman-Amuah** teaches:

1. A method for assessing risk for a financial institution, the steps comprising:
  - a) receiving risk assessment data from a plurality of sources, each risk assessment includes data representative of a plurality of selected risk factors (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152);
  - b) generating a composite risk assessment data in accordance with a calculation based on pre-selected parameters and a comparison thereto (152; col.118, line 65-col.119, line 63);
  - c) outputting the composite risk assessment on a computer readable medium (fig.47).
2. The method for assessing risk for a financial institution as in claim 1, wherein the plurality of risk factors are selected from the group consisting of credit risk factor, market risk factor, liquidity risk factor, operational risk factor, legal risk factor, and reputational risk factor (col.108, line 16-col.111, line 55).
3. The method for assessing risk for a financial institution as in claim 2, the generating step further comprising computing an overall risk based on selected combined values of the plurality of risk factor (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152; col.118, line 65-col.119, line 63);

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4. The method for assessing risk for a financial institution as in claim 1, the method further comprising generating an alert when a risk factor has exceeded a predetermined threshold (blocks 1622, 1624, 1626, 1628 of fig.16B).

5. The method for assessing risk for a financial institution as in claim 4, the method further comprising defining a threshold parameter for generating the alert (blocks 1702, 1704, 1706, 1708 of fig.17).

6. The method for assessing risk for a financial institution as in claim 5, wherein the threshold parameter step further comprises an early warning threshold parameter and a normal threshold parameter (col.57, lines 13-45-threshold manager).

7. The method for assessing risk for a financial institution as in claim 6, the method further comprising storing the alert in a database (col.55, lines 5-35).

8. The method for assessing risk for a financial institution as in claim 7, the method further comprising means communicatively coupled to a headlines page automatically displaying the alert on the headlines page (1530; COL.55, LINE 29-COL.56. line 23).

9. Computer readable instructions stored on a computer readable medium, comprising: computer readable instructions for receiving risk assessments for a financial institution from a plurality of sections, each risk assessment having a plurality of risk factors; computer readable instructions for generating a composite risk assessment: computer readable

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instructions for storing the composite risk assessment on a writeable computer readable medium (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152).

10. The computer readable instructions as in claim 9, wherein the plurality of risk factors are selected from the group consisting of credit risk factor, market risk factor, liquidity risk factor, operational risk factor, legal risk factor, and reputational risk factor (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152).

11. The computer readable instructions as in claim 10, further comprising computer readable instructions for receiving risk assessment data from a national examination data examination database (fig.16B; col.57, line 13-col.58, line 45).

12. The computer readable instructions as in claim 10, the computer readable instructions for generating a composite risk assessment further comprising computer readable instructions for computing an overall risk based on the combined values of the plurality of risk factors (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152; col.118, line 65-col.119, line 63).

13. The computer readable instructions as in claim 10, further comprising computer readable instructions for generating an alert when a new assessment is added to the database (col.55, lines 5-26).

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14. The computer readable instructions as in claim 10, the computer readable instructions further comprising computer readable instructions for defining a threshold parameter for generating the alert (col.57, lines 13-45-threshold manager).

15. The computer readable instructions as in claim 14, wherein the threshold parameter further comprising an early warning threshold parameter and a normal threshold parameter.

16. The computer readable instructions as in claim 15, further comprising computer readable instructions for storing the alert in a database (col.55, lines 5-35).

17. The computer readable instructions as in claim 16, further comprising computer readable instructions communicatively coupled to a headlines page for displaying the alert automatically on the headlines page (1530; col.55, LINE 29-col.56. line 23).

Regarding Claims 18-29,

See (col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152);

(152; col.118, line 65-col.119, line 63);

(1530; col.55, line 29-col.56. line 23).

(col.62, line 33-col.65, line 64; figs.1B, 1B-1-blocks 150-152; col.118, line 65-col.119, line 63);

(figs. 46-47);and

(col.57, lines 13-45-threshold manager).

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18. A method for tracking at least one of an examination and inspection of a financial institution utilizing a computer based system, the steps comprising:

- a) initiating a scheduled stage of the examination, the initiating stage including generating an examination form, the computer based system having means for receiving data to store on the form;
- b) linking an additional form to the examination by the computer based system;
- c) notifying an examiner when the examination is due to be completed;
- d) receiving examination data into the examination form and additional forms associated with the computer based system;
- e) verifying, by the computer based system, all necessary examination data has been entered into the system by performing a check thereof in accordance with pre-selected criteria;
- f) communicating data representative of an examination form and additional forms to a supervisor for review;
- g) receiving data representative of supervisory approval; and h) storing and updating at least one database upon receipt of the data representative of supervisory approval; and

19. The method of claim 18, wherein the generating stage further comprises automatically looking up and associating the financial institution data with the examination form and additional forms.



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20. The method of claim 18, wherein the sending step is done by electronic mail, automatically after the verifying step has been completed.

21. The method of claim 18, wherein the notifying step is by electronic mail.

22. Computer readable instructions, stored on a computer readable medium comprising:

A) computer readable instructions for receiving instructions for initiating a scheduled stage of the examination;

B) computer readable instructions for generating an examination form, the computer readable instructions having means for receiving data to store on the form;

C) computer readable instructions for associating additional forms for the exam;

D) computer readable instructions for notifying an examiner when the exam is due to be completed;

E) computer readable instructions completing the examination form and additional forms by receiving examination data;

F) computer readable instructions for verifying all necessary examination data has been entered;

G) computer readable instructions for sending examination form and additional forms to a supervisor for review;

H) computer readable instructions for receiving supervisor approval;

I) computer readable instructions for storing examination data on a computer

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writable storage medium and updating a plurality of databases.

23. The computer readable instructions of claim 22, the computer readable instructions for notifying an examiner when the examination is due to be completed, further comprising computer readable instructions for automatically sending an electronic mail to an examiner.

24. The computer readable instructions of claim 22, the computer readable instructions for receiving supervisor approval further comprising computer readable instructions for automatically sending an electronic mail notification to a supervisor.

25. The computer readable instructions of claim 22, further comprising computer readable instructions to compare examination data to data of a past examination.

26. The computer readable instructions of claim 25, further comprising computer readable instructions for generating an alert when comparison of the examination detects a change of the data beyond a preset threshold.

27. The computer readable instructions of claim 26 further comprising storing the alert data in a database.

28. The computer readable instructions of claim 27 further comprising computer readable instructions for receiving the preset threshold.

29. The computer readable instructions of claim 28. wherein the preset threshold is comprised of an early warning threshold and a normal threshold.

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☞ Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jeffrey Pwu whose telephone number is (703) 308-7835

Jeffrey Pwu

A handwritten signature in black ink, appearing to read "Jeffrey Pwu", with a stylized, cursive script.

29 June 2002